Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 12. This sheet, which includes Fig. 12, replaces the original sheet including Fig. 12. In Figure 12, the erroneous number 377 has been corrected.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

This paper is submitted in response to the Office Action mailed April 11, 2006. At that time, claims 1, 3-5, 7-10, 12, 14, 15, 23-27, 29, 30, 32, 34, 36-38, 44-49, 61-64 and 66-68 were pending in the application. In the Office Action, the Examiner indicated that claims 46 and 47 would be allowable if rewritten in independent form. However, the remaining claims were rejected under 35 U.S.C. § 102 or § 103.

By this paper, claims 30, 44-46 have been canceled. Claims 1, 32 have been amended.

I. Specification

The Examiner objected to the specification as containing typographical errors. By this amendment, these errors have been corrected. Withdrawal of this objection is respectfully requested.

II. Objection to Claims 5, 9, and 38

The Examiner objected to claims 5, 9 and 38 as containing informalities. As a result of this paper, these claims have been amended to correct these informalities. Withdrawal of this objection is respectfully requested.

III. Objection to the Drawings

The drawings were objected to based upon an error with number 377 in Figure 12. As part of this submission, a replacement sheet that properly amends Figure 12 is attached herewith. Withdrawal of this objection is respectfully requested.

IV. Claims 32, 34, 36-38, 47-49

The Examiner rejected claims 32, 34, 36-38, and 48-49 under by 35 U.S.C. § 103. Specifically, claims 32, 34, 36, and 49 were rejected under § 103(a) as being unpatentable over U.S. Patent No. 6,536,802 issued to Sutherland et al (hereinafter "Sutherland"). Claims 37 and 48 were rejected under § 103(a) as unpatentable over Sutherland in view of Patent No. DE 42 00

604 issued to Poweleit et al. (hereinafter "Poweleit"). The Examiner indicated that claim 47 was allowable.

As a result of this paper, independent claim 32 has been amended to include the limitations of allowable claim 46. Accordingly, independent claim 32 is clearly allowable over the prior art references and the rejections under § 102 and § 103 should be withdrawn.

Likewise, dependent claims 34, 36-38, and 48-49 depend from claim 32 and are likewise allowable for the same reasons as claim 32. Withdrawal of this rejection is respectfully requested.

V. Anticipation Rejections of Claims 1, 3-5, 7-10, 12, 14, 15, 23-27, and 29

Claim 1 is the first independent claim in the application. Claim 3-5, 7-10, 12, 14, 15, 23-27, 29 are all dependent claims that depend, either directly or indirectly, from claim 1.

The Examiner rejected claims 1, 3-5, 7-10, 12, 14, 15, 23-27, and 29 under 35 U.S.C. § 102(b). Specifically, the Examiner rejected claims 1, 3-5, 8, 9, 10, 12, 14-15, and 23-24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,302,437 issued to Marriott et al. (hereinafter "Marriott"). Claims 1, 3-5, 9-10, 12, 14-15, and 23-24 were rejected under § 102(b) as being anticipated by U.S. Patent No. 6,276,713 issued to Duletzke (hereinafter "Duletzke").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (*citing Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." Id. (*citing Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." *In re Paulsen*, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

In the present case, neither of the cited references (Marriott or Duletzke) disclose all of the elements found in independent claim 1. Specifically, claim 1 has been amended to recite that "the airbag assembly is constructed such that during a crash, the airbag will deploy into an inflated configuration regardless of whether a glove box door is in an open position or a closed

position." This limitation is not disclosed by Marriott or Duletzke. In fact, Marriott states that the "inflation of the bag will be prevented while the glove box is open via occupant sensors or a cut off switch to prevent firing." Marriott, Column 5, lines 41-45. Similarly, Duletzke states that "[i]f cover 18 is in an open position, preferably the firing circuit for inflatable restraint 24 is also in an open position and the inflatable restraint will not activate." Duletzke, Column 3,lines 25-27.

Thus, Marriott and Duletzke both teach systems that will not deploy the airbag if the glove box door is open, which is exactly the opposite of that which is required by claim 1. Accordingly, neither of these references teaches the elements of claim 1. Such references do not anticipate claim1 under § 102. Withdrawal of this rejection is respectfully requested.

VI. Obviousness Rejections of Claims 1, 3-4, 7-9, 14, 23-27, and 29

Again, claim 1 is an independent claim in the application. Claims 3-5, 7-10, 12, 14, 15, 23-27, 29 are all dependent claims that depend, either directly or indirectly, from claim 1.

Claims 1, 3, 4, 9, 14, and 23-24 were rejected under § 103(a) as being unpatentable over Sutherland. Claims 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marriott. Claims 7 and 29 were rejected under § 103(a) as being unpatentable over Marriott in view of Poweleit. Claim 8 was rejected under § 103(a) as being unpatentable over Duletzke in view of Marriott. Claim 29 was rejected under § 103(a) as being unpatentable over Sutherland in view of Poweleit.

It is well established that in order to reject a claim under either § 103, all of the claim elements must be disclosed by the cited reference(s). *See* MPEP § 2143. In the present case, the cited references do not teach or suggest all of the claim elements found in independent claim 1. Specifically, claim 1 has been amended to recite that "the airbag assembly is constructed such that during a crash, the airbag will deploy into an inflated configuration regardless of whether a glove box door is in an open position or a closed position." This limitation is not disclosed by Marriott or Duletzke. Accordingly, the § 103 rejections based upon Marriott and Duletzke should be withdrawn as these references clearly do not teach all of the requisite claim elements.

Further claim 1 has also been amended to recite that "the front member does not displace toward the vehicle interior during deployment." Such an element is not taught by Sutherland. Specifically, Sutherland teaches that, during deployment, the covers 170 will pivot (i.e., be displaced) "about the lower edge 172" towards the interior of the vehicle. See Sutherland, Col. 4, lines 11-15. Accordingly, Sutherland clearly does not teach, as is required by the claim 1, a system in which the front member does not displace towards the vehicle interior during deployment. Accordingly, Sutherland does not teach the requisite claim elements and cannot be used to reject claim 1. Withdrawal of the rejections based upon Sutherland is respectfully requested.

With respect to the dependent claims, these claims are allowable over the cited references because these claims depend from allowable claim 1. Withdrawal of these rejections is respectfully requested.

VII Anticipation Rejections of Claims 61

Claims 61 and 67 were rejected under 35 U.S.C. § 102(b) as being anticipated by Marriott. This rejection is respectfully traversed. As with claim 1, claim 61 has been amended to recite that "the airbag assembly is constructed such that during a crash, the airbag will deploy into an inflated configuration regardless of whether a glove box door is in an open position or a closed position." Again, such a claim element is not taught by Marriott; on the contrary, Marriott teaches that the "inflation of the bag will be prevented while the glove box is open via occupant sensors or a cut off switch to prevent firing." Marriott, Column 5, lines 41-45. Withdrawal of this rejection is respectfully requested.

VIII. Obviousness Rejections of Claims 61-64, 66, and 68

Claim 61 is an independent claim in the application. Claims 62-64, 66 and 68 are all dependent claims that depend, either directly or indirectly, from claim 61.

Claim 61 was rejected under § 103(a) as being unpatentable over Sutherland. With respect to this rejection, claim 61 recites that "the front member does not displace toward the vehicle interior during deployment." Such an element is not taught by Sutherland. Specifically,

Sutherland teaches that, during deployment, the covers 170 will pivot (*i.e.*, be displaced) "about the lower edge 172" towards the interior of the vehicle. See Sutherland, Col. 4, lines 11-15. Accordingly, Sutherland clearly does not teach, as is required by the claim 61, a system in which the front member does not displace towards the vehicle interior during deployment. Withdrawal of the rejections based upon Sutherland is respectfully requested.

Claims 62-64 and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marriott. As noted above, because claims 62-64 depend from claim 61, these claims recite that "the airbag assembly is constructed such that during a crash, the airbag will deploy into an inflated configuration regardless of whether a glove box door is in an open position or a closed position." Again, such a claim element is not taught by Marriott. Accordingly, the rejection based upon Marriott should be withdrawn.

Claim 66 was rejected under § 103(a) as being unpatentable over Sutherland in view of Poweleit. Claim 66 depends from claim 61 and is allowable for the same reasons set forth in conjunction with claim 61.

IX. Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

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